

**IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL REVISION APPLICATION NO.318 OF 2006

Mr Mahesh Revachand Kanna, Applicant
VS
1.Citibani N.A. & Anr. Respondents

Mr S.C.Halli, for the applicant.
Ms Rekha Tawade i/b M/s M.V.Kini & Co for respondent
no.1.
Mr R.Y.Mirza, APP for the respondent-State.

CORAM : D.B.BHOSALE, J.

DATED : 14.08.2006

P.C.:

1. Heard Mr Halli, learned counsel for the applicant and Ms Tawade, learned counsel for respondent no.1-Bank and Mr Mirza, learned APP for the respondent-State.

2. Mr Halli, learned counsel for the applicant and Ms.Tawade, learned counsel for respondent no.1-Bank jointly requested to allow the parties to compound the offence. They state that the applicant has paid the entire amount of the loan to respondent no.1-Bank and the respondent-Bank has no grievance whatsoever against the applicant. Ms Tawade also states that she has instructions from respondent no.1-Bank to give consent for disposal of the case as compounded under section 147 of the Negotiable Instruments Act. After having considered the

submissions advanced by the learned counsel appearing for the parties and considering that not only the amount of the dishonoured cheques but the entire amount of the loan has been paid by the applicant to the respondent-Bank, I am satisfied that the following order shall meet the ends of justice.

(i) The offence under section 138 is allowed to be compounded as provided under section 147 of the Negotiable Instruments Act and accordingly it stands compounded. The applicant-accused, who is custody in connection with the offence, may be set at liberty forthwith, if not required in any other case.

(ii) The criminal revision application accordingly stands disposed of.

(D.B.BHOSALE, J.)